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**ALCOA TECHNICAL CENTER****INTELLECTUAL PROPERTY****Transmittal Cover Sheet**

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<b>MAIL STOP AMENDMENT</b>	571-273-8300	US PTO	

**File No.:** 00-0396

**Re:** Serial No.: 10/743,549  
Filing Date: December 22, 2003  
Examiner: Janell Combs Morillo  
Art Unit: 1742  
Confirmation No.: 5795

**Date:** November 13, 2006

**No. Pages:** Including Cover Sheet 3

**Notes:** Please find enclosed the following document relating to the above-cited case:

- 1) A Response to Restriction Requirement having two pages.

Serial No.: 10/743,549  
Filing Date: December 22, 2003

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re: application of: John F. Butler et al. )  
Serial No.: 10/743,549 )  
Filed: December 22, 2003 )  
Confirmation No.: 5795 )

Examiner: Janell Combs Morillo  
Group Art Unit: 1742  
Attorney Docket No.: 00-0396

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Entitled: CRASH RESISTANT ALUMINUM ALLOY SHEET PRODUCTS AND METHOD  
OF MAKING THE SAME

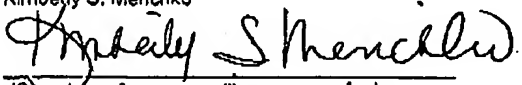
November 13, 2006

**MAIL STOP AMENDMENT**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313**

**RESPONSE TO RESTRICTION REQUIREMENT**

In response to the Office Action dated October 11, 2006, applicants provisionally elect the structure Claims 1-38, with traverse.

Claims 1-60 are currently pending in this application. Claims 1 is an independent structure claim to a heat treated and slow quenched aluminum alloy sheet, with Claims 2-38 dependent upon Claim 1. Claim 39 is an independent method claim to a method of treating an aluminum alloy sheet, with Claims 40-60 dependent on Claim 39.

<b>CERTIFICATE OF MAILING</b>	
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<b>EXPRESS MAIL</b> <input type="checkbox"/> deposited with the United States Postal Service on _____, with sufficient postage as Express Mail, No. _____, in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.  (Signature of person mailing paper or fee)	<b>FACSIMILE</b> <input checked="" type="checkbox"/> transmitted by facsimile on November 13, 2006 to the U.S. Patent and Trademark Office. Kimberly S. Merichko  (Signature of person mailing paper or fee)

Serial No.: 10/743,549  
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The Examiner has restricted the claims into two groups: Group I, drawn to Claims 1-38 for an aluminum alloy product; and Group II, drawn to Claims 39-60 for a process of heating an aluminum alloy. In support of the restriction requirement, the Examiner asserted that the inventions of Group I & II are related as process of making and product made. The inventions are distinct if it can be shown that either:

(1) The processes as claimed can be practiced to make another and materially different product or (2) the product as claimed can be made by a materially different process. The Examiner asserted, in this instance, that the product can be made by a materially different process such as powder metallurgy.

Applicants respectfully traverse the Examiner's conclusion. Structure Claim 1 is directed to an aluminum sheet having high strength and favorable crashworthiness and method Claim 39 is directed to a method of heat treating an aluminum sheet having high strength and favorable crashworthiness. Both the claimed structure and method relate to an aluminum sheet having the claimed alloy composition. Powder metallurgy is far removed from forming metal sheet and can not provide equivalent performance characteristics as metal sheet. Therefore, it is respectfully requested that the restriction requirement be withdrawn.

**\*\*PTO CUSTOMER**

**NUMBER 08840\*\***

Respectfully submitted,



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